

RCS# 3399  
12/17/01  
11:00 AM

Atlanta City Council

Regular Session

01-O-1894

Override Veto: Prohibit Contracting Re.  
Benefits for Domestic Partners  
PROCEDURE

YEAS: 4  
NAYS: 6  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 5

FAILED

N McCarty	B Dorsey	N Moore	Y Thomas
N Starnes	B Woolard	N Martin	Y Emmons
Y Bond	N Morris	B Maddox	N Alexander
B Winslow	Y Muller	B Boazman	NV Pitts

01-O-1894



RECEIVED

DEC 13 2001 *FWH*

CITY OF ATLANTA

MUNICIPAL CLERK

BILL CAMPBELL  
MAYOR

55 TRINITY AVENUE, S.W.  
ATLANTA, GEORGIA 30335-0300

(404) 330-6100

December 13, 2001

Council President Robb Pitts  
Members of the Atlanta City Council  
City Hall 2<sup>nd</sup> Floor Suite 2900  
55 Trinity Avenue, SW  
Atlanta, Georgia 30335

Dear President Pitts and Members of Council:

I hereby return with my veto, Ordinance # 01-O-1894

On December 3, 2001 the Atlanta City Council adopted Ordinance # 01-O-1894 which purports to prohibit the City of Atlanta from contracting with businesses that discriminate in the provision of benefits between employees with domestic partners and other employees.

I whole-heartedly agree with the basic intent of Ordinance #01-O-1894 and have expressed my position to its sponsor, Councilmember Michael Bond. I have been, and continue to be, a strong supporter of the fair treatment for all persons in every aspect of our society. I have been unwavering in my commitment to making sure that the City of Atlanta provide benefits to all employees and their domestic partners. My Administration and the Atlanta City Council lead the charge to vigorously defend our domestic partners benefits program against hostile actions undertaken by the State of Georgia Insurance Commissioner. I am passionate in my lifelong fight for inclusion and justice for everyone.

Unfortunately, this particular piece of legislation is flawed as adopted, and if approved would cause a tremendous hardship on small businesses who seek to do business with our City. The number of small companies who qualify to bid on City projects will be dramatically reduced, thereby causing a negative impact on the City's ability to purchase some goods and services at reasonable prices. It is my deepest desire that a modified version of this ordinance be adopted, approved, and implemented in the near future.

Sincerely,

  
Bill Campbell

AN ORDINANCE

BY COUNCILMEMBER MICHAEL J. BOND

**AN ORDINANCE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES, ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO PROHIBIT THE CITY OF ATLANTA FROM CONTRACTING WITH BUSINESSES THAT DISCRIMINATE IN THE PROVISION OF BENEFITS BETWEEN EMPLOYEES WITH DOMESTIC PARTNERS AND OTHER EMPLOYEES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the United States General Accounting Office reports that over 1,049 federally based benefits are awarded to persons because they are married; and

**WHEREAS**, same-gender marriage is unlawful in all 50 states; and

**WHEREAS**, only 6,600 companies in the United States have adopted domestic partners benefits; and

**WHEREAS**, the City of Atlanta decries discrimination, racism, sexism and bigotry; and

**WHEREAS**, the City of Atlanta is an equal opportunity employer and provides equal benefits selection options to all its employees; and

**WHEREAS**, the City of Atlanta prohibits any discrimination in employment and benefits eligibility of its employees; and

**WHEREAS**, the City of Atlanta urges private and public entities to provide equal compensation and benefits for equal services to all its employees.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA:**

**Section 1:** Article X, Procurement and Real Estate Code is amended to add a new section, Section 2-1388, which shall read as follows:

Section 2-1388

The City shall not enter into contracts of any kind with any business that discriminates in the provision of benefits between employees with domestic partners (as defined in Article VIII, Section 2-858 Domestic Partnership Benefits) and other employees, to the extent allowed by law. Benefits include but are not limited to: medical insurance, retirement plans, leaves of absence (i.e. bereavement and family medical leave), use of company facilities, and company discounts.

**Section 2:** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

RCS# 3373  
12/03/01  
11:53 PM

Atlanta City Council

Regular Session

01-O-1894

Prohibit City from contracting with  
Business that Discriminate Re. Benefits  
ADOPT

YEAS: 12  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

Y McCarty	NV Dorsey	Y Moore	NV Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	N Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

CORRECTED COPY

01-O-1894

01-0-1894

(Do Not Write Above This Line)

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BY COUNCILMEMBER MICHAEL J. BOND

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ADOPTED BY  
DEC 03 2001  
COUNCIL

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☒ PERSONAL PAPER REFER

Date Referred

11/5/01

Referred To: Finance Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee

Date

Chair

Action:

Fav, Adv, (Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
DEC 3 2001

ATLANTA CITY COUNCIL PRESIDENT

*James A. Carter*

CERTIFIED  
DEC 03 2001

DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

*YES TO*  
*James A. Carter*

01-0-1894

(Do Not Write Above This Line)

AN ORDINANCE

BY COUNCILMEMBER MICHAEL J. BOND

AN ORDINANCE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES, ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, TO PROHIBIT THE CITY OF ATLANTA FROM CONTRACTING WITH BUSINESSES THAT DISCRIMINATE IN THE PROVISION OF BENEFITS BETWEEN EMPLOYEES WITH DOMESTIC PARTNERS AND OTHER EMPLOYEES; AND FOR OTHER PURPOSES.

12/17/01 - Special Called Council Mtg  
Motion to Amend  
Mayor's Veto  
FBI/ED  
by Roll Call Vote  
ADOPTED BY  
DEC 03 2001  
COUNCIL

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☒ PERSONAL PAPER REFER

Date Referred

11/5/01

Referred To:

Finance Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
DEC 3 2001

ATLANTA CITY COUNCIL PRESIDENT

James A. Parker

CERTIFIED  
DEC 03 2001

DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

YET TO  
James A. Parker